



APPLICATION (Revised December 2008)
FIRST CIRCUIT JUDICIAL COMMISSION
CIRCUIT JUDGE

QUESTIONS WILL BE MADE PUBLIC IF THE APPLICANT IS

NAME: Lawrence Friedman

Principal occupation:

Partner, Thompson Coburn LLP

2. Are you at least 30 years of age?

Yes

3. (a) How long have you been a citizen of the United States?

53 (since birth)

(b) Have you been a resident of St. Louis County for at least one year immediately prior to the date of this application?

Yes

(c) How long have you been a qualified voter of Missouri?

Since 1974

4. Are you licensed to practice law in Missouri? Yes

List any other states, courts, or agencies in which you are licensed as an attorney:

Illinois; District of Columbia; New York; U.S. Supreme Court; Eighth Circuit; Fifth Circuit; Sixth Circuit; Seventh Circuit; Eleventh Circuit; U.S. District Court for the Eastern District of Missouri; U.S. District Court for the Western District of Missouri; U.S. Tax Court

5. State the date you were admitted to the Bar in Missouri? 1983

Missouri Bar Number: 34382

(In completing items 6 and 7, please account for all time periods between post-high school education and the date of this application.)

6. State the name and address of all colleges and universities you have attended, together with the dates and degrees received:

Columbia College (Columbia University), New York NY 10027 1974-78; A.B 1978; Princeton University, Princeton NJ 1981-83; M.P.A 1983.
Columbia Law School, 435 W. 116th Street, New York NY 10027; 1979-83; J.D. 1983

7. State, in chronological order, your entire working career, including non-legal employment, if any. Include the name and address of each firm, corporation, partnership, or governmental body with which you have been associated, and the dates thereof. (Start with earliest date, conclude with present.)

I held a number of summer and part-time jobs while in high school, college, and law school, including convenience store clerk in St. Louis County (Express Markets) and clerk-typist at the Federal Records Center in St. Louis. In college I worked part-time in the Columbia University Library and as a typesetter at the Columbia Spectator (daily student-run newspaper).

In the year between college and law school (1978-79) I was a research assistant at the Center for Defense Information, 1779 Massachusetts Avenue NW, Washington DC 20036-2109.

During law school I held summer positions as a legal intern at the Army Aviation Systems Command (summer 1980), which was then located in St. Louis; as a summer associate (summer 1981) at Kelley Drye, 101 Park Avenue New York NY 10178; and as a legal intern at the Office of General Counsel, U.S. Department of Defense (summer 1982), at the Pentagon in Washington DC.

After law school, I was a law clerk to the Hon. Irving R. Kaufman, U.S. Court of Appeals, Second Circuit (New York, NY) 1983-84. I then served as Deputy Counsel to the President's Commission on Organized Crime Commission at the Justice Department in Washington, D.C. (1984-86) The Commission held hearings and wrote proposed legislation and regulations relating to money laundering, drug offenses, and other aspects of organized crime. I have been in

private practice since 1986 with Thompson Coburn LLP (formerly Thompson & Mitchell).

I was an adjunct instructor of law at Washington University School of Law in St. Louis from 1986-89.

8. If you are presently an associate circuit judge and have served for two years or longer, attach a list of ten significant cases over which you presided to completion. Set forth the style, cause number, date and name and current address of the primary attorneys participating in each case, identifying the party each attorney represented. Indicate whether bench or jury tried and give a one to three sentence description of each case and its outcome.

(b) In addition, you may attach a list of cases you tried as an attorney in the last five years before becoming a judge. Set forth the style, cause number, date and jurisdiction and identify who you represented, whether you were first or second chair and the name and address of opposing counsel. State for each case whether bench or jury tried and give a one to three sentence description of each case and its outcome.

N/A

9. Are you able, with or without a reasonable accommodation, to perform the essential functions of a judge including the ability to preside over trials, perform legal research, attend court anywhere in the state, communicate clearly and effectively both orally and in writing, and expeditiously decide issues coming before the court?

Yes

10. If you have never served as an associate circuit judge or have served for fewer than two years, attach a list of cases you have tried in the last five years. Set forth the style, cause number, date, and court, and identify who you represented, whether you were first or second chair, and the name and address of opposing counsel. Indicate for each case whether bench or jury tried and provide a one to three sentence description of each case and its outcome. If, during any of the last five years, you served as a commissioner or in any other judicial capacity, set forth the dates of same and a description of the duties performed.

Please see attached list.

11. Have you briefed or argued any case in an appellate court?
If yes, attach a list showing the citation for each case and describe the extent of your participation in briefing and arguing the case.

Please see attached list.

12. Set forth any additional information that demonstrates the quality of your legal work as an attorney.

I specialize in civil, commercial and appellate litigation. My practice is a general one on behalf of both plaintiffs and defendants with particular emphasis in the areas of commercial litigation and appellate and constitutional litigation. I have worked for dozens of clients, ranging from publicly traded Fortune 500 companies to Missouri state agencies to small business and individuals.

I have tried cases (jury trials and bench trials) either as lead or co-counsel in the City of St. Louis, St. Louis County, St. Charles County, Jackson County, Cole County, Butler County and Adair County, the United States District Court for the Eastern District of Missouri, the United States District Court for the Western District of Missouri, the United States Tax Court, and various state and federal courts outside of Missouri. I have briefed and/or argued appeals in the Missouri Court of Appeals, Missouri Supreme Court, and the Sixth, Seventh, Eighth and Eleventh United States Circuit Courts of Appeal.

13. Have you ever been convicted of a misdemeanor or felony? No

If yes, provide details, including the style of the case, cause number, name of the jurisdiction, and date of conviction:

14. Have you ever been sued by a client or been a party to any other litigation, other than as guardian ad litem, plaintiff ad litem or defendant ad litem?

If yes, provide details, including the style of the case, cause number, name of the jurisdiction and the approximate year in which such litigation was commenced and in which it was terminated:

Because Thompson Coburn LLP was a general partnership until 1999, I was nominally a defendant in any lawsuit filed against Thompson Coburn or any of its partners during that time. I am also occasionally a party to such suits filed against the firm now that it is a limited liability partnership. I have never been personally sued and none of my actions has ever been the subject of a malpractice case.

I was party to a Conciliation Agreement with the Federal Election Commission on April 24, 2003 in which I paid a civil penalty of \$1000 in connection with a campaign contribution that I made in September, 1999 at

the request of Michael Lazaroff, at that time a partner at Thompson Coburn. In the Conciliation Agreement I acknowledged that the contribution was in violation of the civil provisions of the campaign contribution statute.

15. Have you ever been disciplined or cited for breach of ethics or professional conduct by a court or by any bar association or committee thereof? No
16. Have you ever been held in contempt of court? No
17. If you are or were a member of the Judiciary of the State of Missouri, please state:
- (a) Whether an order of reprimand, removal, retirement, suspension or other disciplinary action has ever been entered against you by the Supreme Court of Missouri for breach of the Code of Judicial Conduct or the Canons of Judicial Conduct?
If yes, state the nature of such breach, the date discipline was imposed and the exact nature and duration of the discipline imposed:
 - (b) Whether a reprimand or admonishment has ever been entered against you by the Commission on Retirement, Removal and Discipline for any of the causes specified in Rule 12.07 of the Supreme Court Rules Governing the Judiciary.

If yes, provide details including date the order was entered, the date of your consent, and a description of the conduct you were ordered to cease and desist:
 - (c) Whether, to your knowledge, you have been a subject of a complaint and investigation by the Commission on Retirement, Removal and Discipline, which did not result in any action by the Commission? If yes, provide details:

N/A

18. To your knowledge, have you been investigated by a court or by any bar association or committee thereof for breach of ethics or professional conduct?

In connection with the campaign contribution described in the answer to Question 14 above, on October 30, 2000, the Regional Disciplinary Committee for Region XI of the Missouri Bar found that there was no probable cause to believe that my actions involved professional misconduct.

19. List all bar associations and other professional societies, of which you are a member, with any offices held and dates:

Missouri Bar. I spoke in 2005 at a Missouri Bar program in St. Louis on Federal Civil Rights Litigation.

Eighth Circuit Bar Association (2006-date); Member, Board of Directors

Bar Association of Metropolitan St. Louis. I have spoken at a BAMSL program on alternative dispute resolution.

American Bar Association; Member, Sections on Litigation and Business Law.

I was a speaker on white collar crime at the ABA's Litigation Section convention in 1985 while serving as Deputy Counsel to the President's Commission on Organized Crime..

20. Describe your community activities, including any organizations, not listed above, with which you are affiliated:

I was President of Bais Abraham Congregation, a synagogue in University City, Missouri, from 1996-2004. I was a board member of the Epstein Hebrew Academy in Olivette, Missouri 1998-2002. I have served on the Jewish Life Committee of the Jewish Community Centers Association in St. Louis. I was a board member of Citizens for Home Rule, Inc. (2003-2005), which supported educational activities related to the study of the structure of St. Louis City government.

21. Do you now hold or have you ever held any elective or appointive public office or position?

No

22. Provide the branches and dates of (a) military service, or (b) other public service, not otherwise covered in this application. If discharged from the military, was the discharge other than honorable? If military service continues, so state:

N/A

23. List any professional articles or books which have been published or any special recognition or award of a professional nature which you have received:

Right to Jury Trials in Actions Against Foreign Sovereigns, 20 Colum J. Trans. L. 199 (1981).

An Idea Whose Time Has Come: The Curious History, Uncertain Effect, and Need for Amendment of the "Natural Born Citizen" Requirement for the Presidency, 52 St. Louis U. L.J. 137 (2007)

St. Louis Jaycees 10 Outstanding Young St. Louisans Award 1995.

Leadership St. Louis participant 1991-92.

24. Furnish the names and addresses, including zip codes and telephone numbers of not more than five persons, who are not judges, as references with respect to your judicial qualifications:

David Wells
Partner

Thompson Coburn LLP
One US Bank Plaza
St. Louis, MO 63101
Phone: (314) 552-6118
Fax: (314) 552-7118
dwells@thompsoncoburn.com

Barbara Eagleton

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C. Marshall Friedman

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25. State any additional data you deem relevant:

By my signature to this application, I authorize: (1) the Commission by its chairperson to obtain relevant information, including but not limited to documents, records and files with respect to my medical, police or disciplinary records, and (2) the Commission and its members to obtain additional relevant information regarding my qualifications as well as the accuracy of my responses to the questions on this application, with the understanding that the information described in (1) and (2) above is available only to the members of the Twenty-First Circuit Judicial Commission. Notwithstanding the above, in accordance with Supreme Court Rule 10, as amended effective February 29, 2008, if I am one of the three nominees listed on the certificate of nomination sent to the Governor, I authorize the Commission to send a complete copy of this application to the Governor and publicly release a copy of the application with personal and confidential information redacted as identified on the cover page of this application.

I hereby certify that all my statements as made above are correct and that if I am appointed to the office of Circuit Judge of the Circuit Court of St. Louis County, I will accept the appointment, qualify, and promptly enter upon the performance of the duties of that office.

DATE: Feb 26, 2010

SIGNED:



Lawrence Friedman – Trials

Public School Retirement System v. Liberty Public School District (Cole County Circuit Court)

RX Recalls, Inc. v. Devos, Ltd. (St. Charles County Circuit Court)

Jewish Center for Aged v. BSPM Trustees, Inc. (St. Louis County Circuit Court)

GTR Rental LLC v. Dalcanton (D.S.C.)

President Casinos Inc. v. Columbia Sussex Corp. et al. (E.D.Mo. Bankr.)

GTE Midwest d/b/a Verizon Midwest v. Meyer Electric Co. (W.D.Mo.)

Miller v. Advanced Health Care (Butler County Circuit Court)

Corbett v. Sullivan (E.D. Mo.)

Estate of O.W. Schneider v. Commissioner of Internal Revenue (U.S. Tax Court)

McDonnell v. Love Savings Holding Company (St. Louis County Circuit Court)

Swope v. Siegel-Robert Inc. (E.D.Mo.)

Marshall Industries v. Sprengnether Instruments Inc. (E.D.Mo.)

ServiceMaster v. Tower Village (St. Louis City Circuit Court)

Comprehensive Care Corp. v. RehabCare Corp. (E.D.Mo. and St. Louis County Circuit Court)

Hintmann v. Fred Weber Inc. ESOP (Delaware Chancery Court)

Whalen v. Connelly (Scott County (Iowa) District Court)

Fletcher v. Golder (E.D.Mo.)

V&S Railway Inc. v. Missouri and Iowa Railway Co. (Adair County Circuit Court)

Massey v. Tandy Corp. (E.D.Mo.)

Peabody Holding Co. v. Costain Group PLC (E.D.Mo.)

Lawrence Friedman-- Appeals and Reported Cases

Missouri State Employees' Retirement System v. Credit Suisse, New York Branch, 2010 WL 318652 (W.D. Mo)

Public School Retirement System of Missouri v. State Street Bank and Trust Co., 2010 WL 318539 (W.D. Mo.)

Maritz Holdings Inc. v. Federal Ins. Co., 298 S.W.3d 92 (Mo. App. E.D. 2009)

In Re President Casinos, Inc., 419 B.R. 394, 419 B.R. 381 (E.D. Mo. 2009)

Jewish Center for Aged v. BSPM Trustees, Inc., 2009 WL 2151374 (Mo. App. E.D.)

GTR Rental LLC v. DalCanton et. al, 547 F.Supp.2d 510 (D.S.C. 2008)

Slavin v. Rasch, 242 S.W.3d 371, 2007 WL 2916145 (Mo.App. E.D.)

In Re President Casinos, Inc., 360 B.R. 262 (8th Cir. BAP 2007)

In Re Columbia Sussex Corp., Inc., 2006 WL 305959 (E.D.Mo.)

Misischia v. St. John's Mercy Health System et al., 2005 WL 1875035 (E.D.Mo.)

State ex rel. Laclede Gas Co. v. Public Service Commission, 156 S.W.3d 513 (Mo. App. W.D. 2005)

Lake Pilots Ass'n Inc. v. U.S. Coast Guard, 257 F. Supp. 2d 148 (D.D.C. 2003)

Corbett v. Sullivan, 202 F.Supp.2d 972 (E.D. Mo. 2002)

Wall USA, Inc. v. City of Ballwin, 53 S.W.3d 168 (Mo. App.E.D. 2001)

Swope v. Siegel-Robert, Inc., 243 F.3d 486 (8th Cir.), cert. denied, 534 U.S. 887 (2001)

Willits v. Peabody Coal Company, 1999 WL 701916 (6th Cir.), 188 F.3d 510

Swope v. Siegel-Robert, Inc., 74 F.Supp.2d 876 (E.D. Mo. 1999)

Whalen v. Connelly, 593 N.W.2d 147 (Ia. 1999)

Hemenway v. Peabody Coal Company, 159 F.3d 255 (7th Cir. 1998)

Hendrickson v. Peabody Coal Co., 172 F.3d 48 (6th Cir. 1998), affirming 37 F.Supp.2d 947 (W.D.Ky. 1997)

Bowers v. Missouri State Employees Retirement System, 116 F.3d 480 (8th Cir.), cert. denied, 118 S.Ct. 376 (1997)

Akin v. Missouri Gaming Commission, 956 S.W.2d 2261 (Mo. banc 1997)

Savanah R-III School District v. Public School Retirement System of Missouri, 950 S.W.2d 854 (Mo. banc 1997)

Whalen v. Connelly, 545 N.W.2d 294 (Ia. 1996)

Hintmann v. Fred Weber, Inc. ESOP, 1996 WL 361491 (Del.Ch.)

Johns Hopkins Hospital v. Peabody Coal Co., 928 F.Supp. 738 (W.D.Ky. 1996)

V & S Railway, Inc. v. Missouri and Iowa Railway Co., 1996 WL 327943 (E.D.Mo.)

Pulitzer Publishing Company v. Missouri State Employees Retirement System, 927 S.W.2d 477 (Mo.App. 1996)

Hoffman v. Kaplan, 875 S.W.2d 948 (Mo.App. 1994)

Harris v. Missouri Gaming Commission, 869 S.W.2d 58 (Mo. banc 1994)

Massey et al. v. Tandy Corp., 987 F.2d 1307 (8th Cir. 1993)

State ex rel. Peabody Coal Co. v. Clark, 863 S.W.2d 604 (Mo. banc 1993)

Peabody Holding Co., Inc. v. Costain Group PLC, 813 F.Supp. 1402 (E.D.Mo. 1993)
808 F.Supp. 1425 (E.D.Mo. 1992)

Acapolon Corp. v. Ralston Purina Co., 827 S.W.2d 199 (Mo. banc 1992) (amicus curae)

Fletcher v. Golder, 959 F.2d 106 (8th Cir. 1992)

In Re Chrysler Motors Corp. OEP Litigation – Tag – Along Cases,
137 F.R.D. 665 (E.D.Mo. 1991)

MVMA v. Abrams, 899 F.2d 1315 (2d Cir. 1990), cert. denied, 499 U.S. 912 (1991)

In Re Chrysler Motors Corp. Overnight Evaluation Program Litigation,
860 F.2d 844 (8th Cir. 1988); 736 F.Supp. 1007 (E.D.Mo. 1990)

T.M. Murrell v. Laster et al, 1990 WL 171051 (D. Kan.)

O.R. Securities, Inc. v. Professional Planning Assoc., Inc., 857 F.2d 742 (11th Cir. 1988)

Heberer v. Shell Oil Co., 744 S.W.2d 441 (Mo. 1988)

Lawrence Friedman Biographical Sketch

Lawrence Friedman was born in St. Louis in 1956. He attended Parkway Schools and graduated from Parkway North Senior High School in 1974. He is a graduate magna cum laude of Columbia College, and earned an MPA degree from Princeton University and a JD degree from Columbia Law School in 1983. Friedman was a law clerk to the Hon. Irving R. Kaufman of the United States Court of Appeals for the Second Circuit from 1983 to 1984. He served as Deputy Counsel to the President's Commission on Organized Crime at the Department of Justice from 1984 to 1986. Since 1986, Friedman has been an attorney in private practice with Thompson Coburn LLP in St. Louis and a partner since 1991. Friedman is a member of the Board of Directors of the Eighth Circuit Bar Association and is a member other local and national bar organizations. He was President of Bais Abraham Congregation, a synagogue in University City, from 1996 to 2004. He is married to Phyllis Terry Friedman and they have two children, Hannah and Josh, who are students at Boston University.